

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:	§	Chapter 11
CORE SCIENTIFIC, INC., et al.,	§	Case No. 22-90341 (DRJ)
	§	(Jointly Administered)
Debtors.¹	§	
	§	
	§	

**BRYCE JOHNSON'S UNOPPOSED MOTION TO
WITHDRAW CLAIM NOS. 19 AND 120 WITH PREJUDICE**

IF YOU OBJECT TO THE RELIEF REQUESTED, YOU MUST RESPOND IN WRITING. UNLESS OTHERWISE DIRECTED BY THE COURT, YOU MUST FILE YOUR RESPONSE ELECTRONICALLY AT [HTTPS://ECF.TXSBS.USCOURTS.GOV](https://ecf.txsbs.uscourts.gov) WITHIN TWENTY-ONE DAYS FROM THE DATE THIS MOTION WAS FILED. IF YOU DO NOT HAVE ELECTRONIC FILING PRIVILEGES, YOU MUST FILE A WRITTEN OBJECTION THAT IS ACTUALLY RECEIVED BY THE CLERK WITHIN TWENTY-ONE DAYS FROM THE DATE THIS MOTION WAS FILED. OTHERWISE, THE COURT MAY TREAT THE PLEADING AS UNOPPOSED AND GRANT THE RELIEF REQUESTED.

Bryce Johnson (“Johnson”) moves pursuant to Rule 3006 of the Federal Rules of Bankruptcy Procedure to withdraw Claim Nos. 19 and 120 (the “Claims”) with prejudice (the “Motion”). Mr. Johnson has conferred with the Debtors, and the Debtors consent to the Motion.

1. On December 21, 2022 (the “Petition Date”), the Debtors each commenced with this Court a voluntary case under chapter 11 of title 11 of the Bankruptcy Code.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are as follows: Core Scientific Mining LLC (6971); Core Scientific, Inc. (3837); Core Scientific Acquired Mining LLC (6074); Core Scientific Operating Company (5526); Radar Relay, Inc. (0496); Core Scientific Specialty Mining (Oklahoma) LLC (4327); American Property Acquisition, LLC (0825); Starboard Capital LLC (6677); RADAR LLC (5106); American Property Acquisitions I, LLC (9717); and American Property Acquisitions, VII, LLC (3198). The Debtors' corporate headquarters and service address is 210 Barton Springs Road, Suite 300, Austin, Texas 78704.

2. Mr. Johnson filed Claim No. 19 against Core Scientific, Inc. on January 24, 2023, seeking a general unsecured claim in the amount of \$10,537,388.80.

3. On March 27, 2023, Mr. Johnson filed a nearly identical Proof of Claim, Claim No. 120, against Core Scientific Operating Company for the same general unsecured amount of \$10,537,388.80.

4. Debtors objected to Claim Nos. 19 and 120 on May 11, 2023 (the “Objection”). ECF No. 871.

5. No discovery has been taken in connection with the Claims or the Objection.

ARGUMENT

6. After having conferred with the Debtors, Mr. Johnson now wishes to withdraw Claim Nos. 19 and 120 with prejudice.

7. Rule 3006 of the Federal Rules of Bankruptcy Procedure provides, in relevant part, that once an objection is filed, a creditor may not withdraw a claim except on order of the Court on such terms and conditions as are proper.

8. The record here shows that Mr. Johnson has acted with diligence, and withdrawing Mr. Johnson’s Claims will not delay these proceedings. Mr. Johnson’s Claims have not yet been set for a hearing on the merits, nor have any discovery or other pre-hearing preparations been undertaken in connection with the Claims.

9. Because Mr. Johnson requests that his Claims be withdrawn with prejudice, there is no risk to the Debtors of duplicative litigation associated with the Claims. Withdrawal of the Claims with prejudice will assist the Debtors and the Court in resolving this bankruptcy.

10. For all of these reasons, Mr. Johnson has satisfied the requirements of Rule 3006 of the Federal Rules of Bankruptcy Procedure, and this Motion to withdraw Claim Nos. 19

and 120 with prejudice should be granted. *See, e.g., In re Upd Global Res., Inc.*, No. BR 11-36970-H5-11, 2016 WL 3964362, at *20 (S.D. Tex. July 21, 2016).

WHEREFORE, for the foregoing reasons, the Motion should be granted, and the Court should enter an order substantially in the form of the proposed order attached hereto as **Exhibit A.**

Dated: June 21, 2023

/s/ John E. Mitchell

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CERTIFICATE OF CONFERENCE

I, John E. Mitchell, hereby certify that on June 20, 2023, I conferred with Jeremy Cain, counsel for the Debtors, regarding the relief requested herein. The Debtors do not oppose the relief requested.

/s/ John E. Mitchell
John E. Mitchell

CERTIFICATE OF SERVICE

I hereby certify that on June 21, 2023, a true and correct copy of the foregoing document was served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ John E. Mitchell
John E. Mitchell